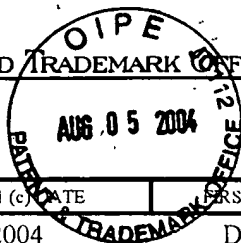




UNITED STATES PATENT AND TRADEMARK OFFICE



UNITED STATES DEPARTMENT OF COMMERCE  
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 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
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IFW#

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/827,054	04/19/2004	David R. Elmaleh	910000-2042.1

20999  
 FROMMER LAWRENCE & HAUG  
 745 FIFTH AVENUE- 10TH FL.  
 NEW YORK, NY 10151

CONFIRMATION NO. 2370

## FORMALITIES LETTER



\*OC000000013187034\*

**DOCKETED**

Date Mailed: 07/08/2004

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$2565** as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$2630** for a Small Entity

- **\$65** Late oath or declaration Surcharge.

08/06/2004 MAHMED1 00000021 10827054

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65.00 0P

- Total additional claim fee(s) for this application is **\$2565**

- **\$2565** for **411** total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice MUST be returned with the reply.*

M. NGUYEN

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



PATENT  
910000-2042.1

**THE UNITED STATES PATENT AND TRADEMARK OFFICE**

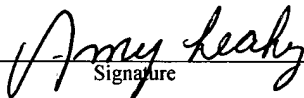
Applicants : Elmaleh et al.  
Serial No. : 10/827,054  
Filing Date : April 19, 2004  
For : METHOD OF MONITORING BLOOD FLOW AND METABOLIC  
UPTAKE IN TISSUE WITH RADIOLABELED ALKANOIC ACID  
Examiner : To Be Assigned  
Art Unit : To Be Assigned

745 Fifth Avenue  
New York, NY 10151

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Missing Parts Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on August 2, 2004.

Amy Leahy, Reg. No. 47,739

(Name of Applicant, Assignee or Registered Representative)



Signature

August 2, 2004

Date of Signature

**RESPONSE TO NOTICE TO FILE MISSING PARTS  
OF NONPROVISIONAL APPLICATION**

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-145

Dear Sir:

In response to the NOTICE TO FILE MISSING PARTS OF APPLICATION, mailed July 8, 2004, enclosed is a check for \$65 to cover the required surcharge fee as required in the aforementioned July 8 NOTICE, together with a copy of said NOTICE.


Enclosed also find copies of documents previously submitted on June 1, 2004, including the executed Declaration For Patent Application And Power of Attorney, a Communication to the PTO forwarding same and a copy of the PTO stamped, itemized return postcard listing the aforementioned document.

Applicant also notes that the NOTICE calls for additional claim fees of \$2565 as a small entity. Submitted also please find a Preliminary Amendment rendering these claim fees moot.

Please charge any additional fees to Deposit Account No. 50-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP  
Attorneys for Applicants

By   
Amy Leahy  
Reg. No. 47,739  
(212) 588-0800



PATENT  
910000-2042.1

**THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : ELMALEH, et al.  
U.S. Serial No. : 10/827,054  
Filing Date : April 19, 2004  
For : *Method of Monitoring Blood Flow and Metabolic Uptake in  
Tissue with Radiolabeled Alkanoic Acid*  
Group Art Unit :

745 Fifth Avenue  
New York, New York 10151

**EXPRESS MAIL**

Mailing Label Number: EV 468998047 US

Date of Deposit: June 1, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR 1.10 on the date indicated above and is addressed to: Assistant Commissioner for Patents, Washington, DC 20231.

\_\_\_\_\_  
(Typed or printed name of person mailing paper or fee)

\_\_\_\_\_  
(Signature of person mailing paper or fee)

**COMMUNICATION**

Assistant Commissioner for Patents  
Washington, D.C. 20231  
Box: Patents

Sir:

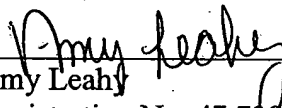
Enclosed is an original executed Declaration for Patent Application and Power of Attorney ("Declaration"), an Assignment and the Recordation Form Cover Sheet ("Recordation"). Also enclosed is a check in the amount of \$40.00 to cover the recordation fee.

The Commissioner is hereby authorized to charge any additionally required fee for consideration, entry and recordal of the Declaration and Assignment or credit any overpayment therein to Deposit Account No. 50-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP  
Attorneys for Applicant

By:

  
Amy Leahy  
Registration No. 47,739  
Tel. (212) 588-0800  
Fax (212) 588-0500



Serial No. 10/927054 File No. 810000-2042.1 By TOK/AL/UM  
Title in the Matter of the Application of Method for Monitoring ...  
Applicant(s)/Inventor(s) ELMALER, et al.  
The following due \_\_\_\_\_ in the U.S. Patent Office, was received in the Patent Office  
☐ Affidavit ☐ Declaration ☒ Express Mail Mailing Label # EV46999047 05  
☐ Amendment ☐ (separate sheet)  
☐ Preliminary Amendment ☒ Check No. 31606 for \$ 40  
☐ Amendment After Final Rejection ☐ Deposit Account Order Form  
☐ Request for Extension of Time ☐ Drawing \_\_\_\_\_ Sheet(s)  
☐ Provisional Patent Application ☐ Information Disclosure Statement  
☐ Application for Patent, including ☐ PTO Form 1449  
\_\_\_\_ Pages Specification \_\_\_\_\_ Claims \_\_\_\_\_ Abstract ☐ Issue Fee/Publication Fee Transmittal  
☒ Declaration ☒ Oath ☒ Power ☐ Appeal Brief (triplicate) ☐ Letter  
☐ Request for Filing Continuation or Divisional ☐ Application for TM Registration  
Application \_\_\_\_\_ sheets Including \_\_\_\_\_ Specimens  
☐ PCT Request \_\_\_\_\_ sheets, including ☐ Status Request ☐ Notice of Appeal (triplicate)  
☐ Transmittal Letter ☐ Petition ☐ Response  
☐ Request for Continued Exam (RCE) ☐ Priority Document  
☒ Assignment ☒ Recordation Cover Sheet ☐ Statement of Use  
☐ Amendment Fee Transmittal ☐ Response to Examiner's Statement  
☐ Claim of Priority ☐ Search Report  
☐ Request for Approval of Drawings ☐ Response to Notice to File Missing Parts  
☐ Diskette with Sequence Listing ☐

VIA EXPRESS MAIL ON: 6/1/04

Serial No. 10/927054 File No. 810000-2042.1 By TOK/AL/UM  
Title in the Matter of the Application of Method for Monitoring ...  
Applicant(s)/Inventor(s) ELMALER, et al.  
The following due \_\_\_\_\_ in the U.S. Patent Office, was received in the Patent Office  
☐ Affidavit ☐ Declaration ☒ Express Mail Mailing Label # EV46999047 05  
☐ Amendment ☐ (separate sheet)  
☐ Preliminary Amendment ☒ Check No. 31606 for \$ 40  
☐ Amendment After Final Rejection ☐ Deposit Account Order Form  
☐ Request for Extension of Time ☐ Drawing \_\_\_\_\_ Sheet(s)  
☐ Provisional Patent Application ☐ Information Disclosure Statement  
☐ Application for Patent, including ☐ PTO Form 1449  
\_\_\_\_ Pages Specification \_\_\_\_\_ Claims \_\_\_\_\_ Abstract ☐ Issue Fee/Publication Fee Transmittal  
☒ Declaration ☒ Oath ☒ Power ☐ Appeal Brief (triplicate) ☐ Letter  
☐ Request for Filing Continuation or Divisional ☐ Application for TM Registration  
Application \_\_\_\_\_ sheets Including \_\_\_\_\_ Specimens  
☐ PCT Request \_\_\_\_\_ sheets, including ☐ Status Request ☐ Notice of Appeal (triplicate)  
☐ Transmittal Letter ☐ Petition ☐ Response  
☐ Request for Continued Exam (RCE) ☐ Priority Document  
☒ Assignment ☒ Recordation Cover Sheet ☐ Statement of Use  
☐ Amendment Fee Transmittal ☐ Response to Examiner's Statement  
☐ Claim of Priority ☐ Search Report  
☐ Request for Approval of Drawings ☐ Response to Notice to File Missing Parts  
☐ Diskette with Sequence Listing ☐

VIA EXPRESS MAIL ON: 6/1/04